

A. REMARKS

The Examiner is thanked for the performance of a thorough search. No claims are canceled or added in this reply. Hence, Claims 1-5, 7-24 and 28 are pending in this application. All issues raised in the final Office Action mailed December 21, 2010 are addressed hereinafter. Reconsideration is respectfully requested in view of the remarks provided hereinafter. In addition, in view of the distinctions between the claims and the references cited and relied upon as described hereinafter and the extended prosecution of the present application, the Examiner is respectfully requested to issue a Notice of Allowance, or in the alternative, conduct a new prior art search and issue a new non-final office action.

REJECTION OF CLAIMS 1-4, 9-17, 20-22, 24 AND 28 UNDER 35 U.S.C. § 103(a)

Claims 1-4, 9-17, 20-22, 24 and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Homma*, U.S. Patent Publication 2001/0017700 (hereinafter “*Homma*”) in view of *Parry*, U.S. Patent Publication 2003/0065766 (hereinafter “*Parry*”) and further in view of *Hilbert et al.*, U.S. Patent Publication 2006/0256786 (hereinafter “*Hilbert*”) and *Nagasaki et al.*, U.S. Patent No. 6,725,300 (hereinafter “*Nagasaki*”). It is respectfully submitted that Claims 1-4, 9-17, 20-22, 24 and 28 are patentable over *Homma*, *Parry*, *Hilbert* and *Nagasaki*, considered alone or in any combination, for at least the reasons provided hereinafter.

Claim 1 is directed to a multifunction peripheral that is configured to perform:

“requesting first device-related information from a network device over a network, wherein the first device-related information includes meter-reading information; receiving the first device-related information including meter-reading information from the network device over the network; obtaining multifunction peripheral information, wherein the obtaining multifunction peripheral information includes reading a meter of the multifunction peripheral; generating a device-related report based at least in part on (a) said first device-related information including meter-reading information received from the network device over the network, combined with (b) the multifunction peripheral information obtained from the multifunction peripheral; and sending said device-related report to a recipient device, wherein the recipient device is separate from both the network device and the multifunction peripheral, wherein the multifunction peripheral further comprises a hypertext transfer protocol module and wherein the multifunction peripheral is configured to perform the step of sending said device-related report to the recipient device by sending said

device-related report to the recipient device via hypertext transfer protocol using the hypertext transfer protocol module.”

The multifunction peripheral recited in Claim 1 is configured to obtain meter-reading information both from itself and from a network device over a network. The multifunction peripheral generates a device-related report that includes both the meter-reading information from itself and the meter-reading information obtained from the other network device. The multifunction peripheral then sends the device-related report over a network to a recipient device.

It is well founded that to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a), the references cited and relied upon must teach or suggest all the claim limitations. In addition, a sufficient factual basis to support the obviousness rejection must be proffered. *In re Freed*, 165 USPQ 570 (CCPA 1970); *In re Warner*, 154 USPQ 173 (CCPA 1967); *In re Lunsford*, 148 USPQ 721 (CCPA 1966). With respect to the present application, it is respectfully submitted that *Homma*, *Parry*, *Hilbert* and *Nagasaki*, alone or in combination, do not teach or suggest all the limitations of Claim 1. It is further submitted that a sufficient factual basis has not been proffered in the final Office Action to support the rejection of Claim 1 under 35 U.S.C. §103(a) as being unpatentable over *Homma* in view of *Parry* and further in view of *Hilbert* and *Nagasaki*.

It is respectfully submitted that at least the Claim 1 limitation of the multifunction peripheral being configured to perform “generating a device-related report based at least in part on (a) said first device-related information including meter-reading information received from the network device over the network, combined with (b) the multifunction peripheral information obtained from the multifunction peripheral” is not taught or suggested by *Homma*, *Parry*, *Hilbert* and *Nagasaki*, considered alone or in any combination.

In the final Office Action, each of *Homma*, *Hilbert* and *Parry* are relied upon for allegedly teaching portions of the aforementioned limitation. Applicant respectfully submits that it is improper to dissect the aforementioned limitation into constituent parts and then attempt to show that each of those constituent parts is taught by a separate reference. To do so is tantamount to ignoring the limitations of the claim because it can only be done by ignoring one or more specific actions or contexts of the limitation. For example, applying a reference to only the portion of the aforementioned limitation pertaining to the multifunction peripheral generating a device-related report that includes meter-reading information received by the multifunction

peripheral over the network from another network device necessarily ignores the portion of the aforementioned limitation that requires that the device-related report also include meter reading information from the multifunction peripheral itself. In the aforementioned limitation, the multifunction peripheral generates a device-related report that combines meter-reading information from the multifunction peripheral with meter-reading information received from the network device over the network. Thus, it is respectfully submitted that the Claim 1 limitation of the multifunction peripheral being configured to perform “generating a device-related report based at least in part on (a) said first device-related information including meter-reading information received from the network device over the network, combined with (b) the multifunction peripheral information obtained from the multifunction peripheral” should be considered in its entirety and that this limitation is not taught or suggested by *Homma*, *Parry*, *Hilbert* and *Nagasaki*, considered alone or in any combination.

Homma describes a peripheral device that is configured to store usage data on a per-user basis. There is no teaching or suggestion in *Homma* that the peripheral device collects usage information from other peripheral devices. In addition, there is no mention or suggestion in *Homma* that the usage data includes meter data. Furthermore, there is no teaching or suggestion in *Homma* that the peripheral device generates a device-related report that includes both meter-reading information from itself and meter-reading information obtained from another network device. It is therefore respectfully submitted that at least the Claim 1 limitation of the multifunction peripheral being configured to perform “generating a device-related report based at least in part on (a) said first device-related information including meter-reading information received from the network device over the network, combined with (b) the multifunction peripheral information obtained from the multifunction peripheral” is not taught or suggested by *Homma*.

Parry describes an approach for managing imaging devices that includes a separate management facility 200 that collects usage data and the location data of imaging devices. There is no teaching or suggestion in *Parry* that the management facility 200 collects information on its own usage or that the usage information displayed to the user includes any usage data for the management facility 200. In addition, there is no mention or suggestion in *Parry* that the usage data includes meter data. Furthermore, there is no teaching or suggestion in *Parry* that the management facility 200 generates a device-related report that includes both meter-reading

information from itself and meter-reading information obtained from another network device. It is therefore respectfully submitted that at least the Claim 1 limitation of the multifunction peripheral being configured to perform “generating a device-related report based at least in part on (a) said first device-related information including meter-reading information received from the network device over the network, combined with (b) the multifunction peripheral information obtained from the multifunction peripheral” is not taught or suggested by *Parry*.

Hilbert describes that multifunction devices may be configured to receive information from multiple computer terminals or workstations but there is no mention or suggestion of multifunction devices receiving metering data from other computer terminals or workstations. There is no teaching or suggestion in *Hilbert* that the multifunction devices collect information on their own usage. In addition, there is no mention or suggestion in *Hilbert* that the information received from other computer terminals or workstations includes meter data. In addition, there is no mention or suggestion of a multifunction device generating a device-related report that includes both the meter-reading information from itself and the meter-reading information obtained from another network device. It is therefore respectfully submitted that at least the Claim 1 limitation of the multifunction peripheral being configured to perform “generating a device-related report based at least in part on (a) said first device-related information including meter-reading information received from the network device over the network, combined with (b) the multifunction peripheral information obtained from the multifunction peripheral” is not taught or suggested by *Hilbert*.

Nagasaki describes a control device for controlling the transmission and receipt of data. There is no teaching or suggestion in *Nagasaki* that any of the network devices collect meter data from other peripheral devices. Furthermore, there is no teaching or suggestion in *Nagasaki* that any of the network devices generates a device-related report that includes both meter-reading information from itself and meter-reading information obtained from another network device. It is therefore respectfully submitted that at least the Claim 1 limitation of the multifunction peripheral being configured to perform “generating a device-related report based at least in part on (a) said first device-related information including meter-reading information received from the network device over the network, combined with (b) the multifunction peripheral information obtained from the multifunction peripheral” is not taught or suggested by *Nagasaki*.

CLAIMS 2-4, 9-17, 20-22, 24 AND 28

Claims 2-4, 9-17, 20-22 and 24 all depend from Claim 1 and include all of the limitations of Claim 1. It is therefore respectfully submitted that Claims 2-4, 9-17, 20-22 and 24 are patentable over *Homma, Parry, Hilbert* and *Nagasaki* for at least the reasons set forth herein with respect to Claim 1. Furthermore, it is respectfully submitted that Claims 2-4, 9-17, 20-22 and 24 recite additional limitations that independently render them patentable over *Homma, Parry, Hilbert* and *Nagasaki*. Claim 28 includes a limitation of a multifunction peripheral “generating a device-related report based on (a) the received device-related information received from the network device over the network, combined with (b) device-related information obtained from reading the meter of the multifunction peripheral” that is similar to the limitation from Claim 1 discussed above. It is therefore respectfully submitted that Claim 28 is also patentable over *Homma, Parry, Hilbert* and *Nagasaki* for at least the reasons set forth herein with respect to Claim 1.

In view of the foregoing, it is respectfully submitted that Claims 1-4, 9-17, 20-22, 24 and 28 each recite one or more limitations that are not taught or suggested by *Homma, Parry, Hilbert* and *Nagasaki*, considered alone or in combination, and that Claims 1-4, 9-17, 20-22, 24 and 28 are therefore patentable over *Homma, Parry, Hilbert* and *Nagasaki*. Accordingly, the rejection of Claims 1-4, 9-17, 20-22, 24 and 28 under 35 U.S.C. § 103(a) as being unpatentable over *Homma* in view of *Parry* and further in view of *Hilbert* and *Nagasaki* is respectfully requested.

REJECTION OF CLAIMS 5 AND 23 UNDER 35 U.S.C. § 103(a)

Claims 5 and 23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Homma, Hilbert, Parry* and *Nagasaki* as applied to claims above, and further in view of *Iwase, et al.*, U.S. Patent Publication 2002/0046247(hereinafter “*Iwase*”). Claims 5 and 23 depend from Claim 1 and include all of the limitations of Claim 1. As previously set forth herein, Claim 1 recites one or more limitations that are not taught or suggested by *Homma, Hilbert, Parry* and *Nagasaki*. It is respectfully submitted that these limitations are also not taught or suggested by *Iwase* and it is understood that *Iwase* is relied upon in the final Office Action for teaching the additional limitations recited in Claims 5 and 23 and not for teaching the limitations of Claim 1. It is therefore respectfully submitted that Claims 5 and 23 are patentable over *Homma, Hilbert, Parry, Nagasaki* and *Iwase*. Accordingly, reconsideration and withdrawal of the rejection of

Claims 5 and 23 under 35 U.S.C. § 103(a) as being unpatentable over *Homma* in view of *Hilbert* and further in view of *Parry*, *Nagasaki* and *Iwase* is respectfully requested.

REJECTION OF CLAIM 7 UNDER 35 U.S.C. § 103(a)

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Homma*, *Hilbert*, *Parry* and *Nagasaki* as applied to claims above, and further in view of *Watkins*, U.S. Patent No 6,347,305 (hereinafter “*Watkins*”). Claim 7 depends from Claim 1 and includes all of the limitations of Claim 1. As previously set forth herein, Claim 1 recites one or more limitations that are not taught or suggested by *Homma*, *Hilbert*, *Parry* and *Nagasaki*. It is respectfully submitted that these limitations are also not taught or suggested by *Watkins* and it is understood that *Watkins* is relied upon in the final Office Action for teaching the additional limitations recited in Claim 7 and not for teaching the limitations of Claim 1. It is therefore respectfully submitted that Claim 7 is patentable over *Homma*, *Hilbert*, *Parry*, *Nagasaki* and *Watkins*. Accordingly, reconsideration and withdrawal of the rejection of Claim 7 under 35 U.S.C. § 103(a) as being unpatentable over *Homma* in view of *Hilbert* and further in view of *Parry*, *Nagasaki* and *Watkins* is respectfully requested.

REJECTION OF CLAIM 8 UNDER 35 U.S.C. § 103(a)

Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Homma*, *Hilbert*, *Parry* and *Nagasaki* as applied to claims above, and further in view of *Takano*, U.S. Patent Publication No. 2004/0184108 (hereinafter “*Takano*”). Claim 8 depends from Claim 1 and includes all of the limitations of Claim 1. As previously set forth herein, Claim 1 recites one or more limitations that are not taught or suggested by *Homma*, *Hilbert*, *Parry* and *Nagasaki*. It is respectfully submitted that these limitations are also not taught or suggested by *Takano* and it is understood that *Takano* is relied upon in the final Office Action for teaching the additional limitations recited in Claim 8 and not for teaching the limitations of Claim 1. It is therefore respectfully submitted that Claim 8 is patentable over *Homma*, *Hilbert*, *Parry*, *Nagasaki* and *Takano*. Accordingly, reconsideration and withdrawal of the rejection of Claim 8 under 35 U.S.C. § 103(a) as being unpatentable over *Homma* in view of *Hilbert* and further in view of *Parry*, *Nagasaki* and *Takano* is respectfully requested.

REJECTION OF CLAIM 18 UNDER 35 U.S.C. § 103(a)

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Homma*, *Hilbert*, *Parry* and *Nagasaki* as applied to claims above, and further in view of *Carter*, Publication No. WO 01/40907 (hereinafter “*Carter*”). Claim 18 depends from Claim 1 and includes all of the limitations of Claim 1. As previously set forth herein, Claim 1 recites one or more limitations that are not taught or suggested by *Homma*, *Hilbert*, *Parry* and *Nagasaki*. It is respectfully submitted that these limitations are also not taught or suggested by *Carter* and it is understood that *Carter* is relied upon in the final Office Action for teaching the additional limitations recited in Claim 18 and not for teaching the limitations of Claim 1. It is therefore respectfully submitted that Claim 18 is patentable over *Homma*, *Hilbert*, *Parry*, *Nagasaki* and *Carter*. Accordingly, reconsideration and withdrawal of the rejection of Claim 18 under 35 U.S.C. § 103(a) as being unpatentable over *Homma* in view of *Hilbert* and further in view of *Parry*, *Nagasaki* and *Carter* is respectfully requested.

REJECTION OF CLAIM 19 UNDER 35 U.S.C. § 103(a)

Claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over *Homma*, *Hilbert*, *Parry* and *Nagasaki* as applied to claims above, and further in view of *Swart*, U.S. Patent No. 6,347,306 (hereinafter “*Swart*”). Claim 19 depends from Claim 1 and includes all of the limitations of Claim 1. As previously set forth herein, Claim 1 recites one or more limitations that are not taught or suggested by *Homma*, *Hilbert*, *Parry* and *Nagasaki*. It is respectfully submitted that these limitations are also not taught or suggested by *Swart* and it is understood that *Swart* is relied upon in the final Office Action for teaching the additional limitations recited in Claim 19 and not for teaching the limitations of Claim 1. It is therefore respectfully submitted that Claim 19 is patentable over *Homma*, *Hilbert*, *Parry*, *Nagasaki* and *Swart*. Accordingly, reconsideration and withdrawal of the rejection of Claim 19 under 35 U.S.C. § 103(a) as being unpatentable over *Homma* in view of *Hilbert* and further in view of *Parry*, *Nagasaki* and *Swart* is respectfully requested.

CONCLUSION

It is respectfully submitted that all of the pending claims are in condition for allowance and the issuance of a notice of allowance is respectfully requested. A petition for extension of

time is hereby made. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that such contact would be helpful in furthering the prosecution of this application.

Respectfully submitted,

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